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Trafficking in persons, especially women and children

Note by the Secretary-General

The Secretary-General has the honour to transmit to the members of the General Assembly the interim report of the Special Rapporteur on trafficking in persons, especially women and children, Joy Ezeilo, submitted in accordance with Human Rights Council resolution 8/12.

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Report of the Special Rapporteur on trafficking in persons, especially women and children

Summary

The present annual report is submitted to the General Assembly in accordance with Human Rights Council resolution 8/12 and covers the period from 1 October 2009 to 30 September 2010.

The report is divided into three main sections: an introduction, an outline of the activities undertaken by the Special Rapporteur during the reporting period and a thematic focus on the prevention of trafficking in persons, which includes an analysis of various aspects of measures aimed at preventing trafficking in persons, highlighting the importance of the active participation of trafficked persons in designing and implementing such measures. The report also discusses innovative public-private partnerships for the prevention of trafficking in persons and highlights the cross-cutting importance of collecting accurate data on trafficking, as well as of monitoring and evaluation, to ensure the effectiveness of prevention measures. In conclusion, the Special Rapporteur offers recommendations to States in developing and implementing efforts to prevent trafficking in persons.

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I. Introduction

1. The present report is the second submitted to the General Assembly by the current Special Rapporteur on trafficking in persons, especially women and children, pursuant to Human Rights Council resolution 8/12. It highlights her activities from 1 October 2009 to 30 September 2010, including a country visit to Egypt in April. The main thematic focus of the report is the prevention of trafficking in persons.

II. Activities of the Special Rapporteur

2. With respect to the activities carried out from October 2009 to February 2010, the Special Rapporteur makes reference to her previous report, submitted to the Human Rights Council at its fourteenth session (A/HRC/14/32). Her activities from 1 March 2010 to 30 September 2010 are briefly set out below.

Participation in conferences and consultations

3. On 22 and 23 March 2010, the Special Rapporteur participated in the Doha Foundation Forum of the Arab Initiative to Combat Human Trafficking, presenting a paper on prospects for the commitment of Arab States to the international conventions on combating human trafficking.

4. On 27 and 28 May, the Special Rapporteur participated in a seminar on a human rights approach to combating trafficking in persons and the implementation of the Recommended Principles and Guidelines on Human Rights and Human Trafficking (see E/2002/68/Add.1) organized by the Office of the United Nations High Commissioner for Human Rights (OHCHR) pursuant to Human Rights Council resolution 11/3.

5. On 31 May and 1 June, the Special Rapporteur participated in a panel on trafficking, exploitation and violence at a conference on human rights and migration: realizing a human rights-based approach to the protection of migrants, refugees and asylum-seekers, organized by the Ministry of Interior of Portugal and the Council of Europe, and attended by a representative of OHCHR.

6. On 2 June, the Special Rapporteur took part in a special event on giving voice to the victims and survivors of human trafficking at the fourteenth session of the Human Rights Council, and on 3 June, she presented to the Council her report, which focused on regional and subregional cooperation in promoting a human rights-based approach to combating trafficking in persons. On the same day, the Special Rapporteur participated as a panellist at a side event on implementing victim-centred approaches to human trafficking, organized by the Global Alliance against Traffic in Women.

7. On 28 June, the Special Rapporteur delivered a keynote speech on the status of human trafficking in migrant women around the world and the role of the international community at the International Conference against Trafficking in Migrant Women, organized in Seoul by the National Human Rights Commission of Korea.

8. From 30 June to 2 July, the Special Rapporteur attended the seventeenth annual meeting of special procedures at OHCHR headquarters in Geneva.

9. On 6 and 7 July, the Special Rapporteur took part in the International Members' Conference and Congress of the Global Alliance against Traffic in Women in Bangkok. She spoke as a panellist on the subject of United Nations advocacy strategies and held an informal consultation with the participants on the prevention of trafficking in persons.

Country visits

10. The Special Rapporteur visited Egypt from 11 to 21 April at the invitation of the Government. The preliminary note on the visit, which sets out the Special Rapporteur's initial conclusions and recommendations, was submitted to the Human Rights Council at its fourteenth session (A/HRC/14/32/Add.5). A full report on the visit will be presented to the Council at its seventeenth session, in 2011.

Planned activities

11. The Special Rapporteur plans to undertake country visits to Argentina and Uruguay in September 2010.

III. Thematic analysis: prevention of trafficking in persons

A. Introduction

12. The present report focuses on the prevention of trafficking in persons, which is an integral part of the comprehensive framework to combat and eradicate such trafficking. While the increased attention on the issue of trafficking in recent years has resulted in numerous initiatives and programmes aimed at preventing trafficking in persons, there are concerns that some of them result in the violation of human rights of trafficked persons, particularly when they are not designed on the basis of accurate data and evidence or when the impact and effectiveness are not closely monitored and evaluated.

13. In the light of such concerns, the report analyses various aspects of prevention measures, such as addressing the root causes of trafficking in persons, reducing demand for exploitative labour and services, promoting safe migration and raising awareness of risks associated with trafficking.

14. At the outset, it should be noted that examples and practices cited in the report are not exhaustive and are informed by the Special Rapporteur's previous country visits and her participation in various meetings and conferences. The Special Rapporteur expresses her appreciation for the valuable input provided by international organizations and non-governmental organizations.

B. Prevention of trafficking in persons: theory and practice

15. Through the adoption of the Universal Declaration of Human Rights, Member States pledged to promote universal respect for and observance of human rights and fundamental freedoms. In combating trafficking in persons, this is a fundamental

starting point that which warrants more attention than it currently receives, as violations of human rights are both a cause and a consequence of trafficking in persons (E/2002/68/Add.1, guideline 1). Thus, universal respect for human rights must be ensured not only as a goal in itself, but also as a means of preventing trafficking in persons while placing the human rights of trafficked persons at the centre of all prevention efforts.

16. In developing effective strategies to combat trafficking in persons, the Special Rapporteur has consistently advocated for basing such strategies on "5P's" (protection, prosecution, punishment, prevention and promotion of international cooperation) and "3R's" (redress, rehabilitation/recovery and reintegration of victims to assume a constructive role in the society) (A/HRC/10/16 and Corr.1). The role of prevention is critical in ensuring that the crime of trafficking does not occur in the first place. Despite its importance, the efforts to combat trafficking have been largely centred on a "symptom-specific" approach in that solutions are sought only after particular problems occur.[1] It follows that resources and efforts are often concentrated on prosecuting traffickers or developing assistance programmes for survivors of trafficking but neglect the development and implementation of comprehensive and systematic prevention measures.

17. In examining what the "prevention" of trafficking in persons entails, it is useful to revisit the legal framework and standards on combating such trafficking. One of the fundamental objectives of the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (Palermo Protocol) is to prevent and combat trafficking in persons, paying particular attention to women and children. To that end, States parties are obliged to undertake measures such as research, information and mass media campaigns and social and economic initiatives to prevent and combat trafficking in persons. Article 9 of the Palermo Protocol further provides that States parties shall adopt or strengthen various measures to alleviate the factors that make persons, especially women and children, vulnerable to trafficking, such as poverty, underdevelopment and lack of equal opportunity and to discourage the demand that fosters all forms of exploitation of persons, especially women and children, that leads to trafficking.

18. Those provisions make clear that prevention measures should address both the supply and demand factors leading to trafficking in persons. In that regard, guideline 7 of the Recommended Principles and Guidelines on Human Rights and Human Trafficking, issued by OHCHR in July 2002 (E/2002/68/Add.1), provides further guidance. The main prevention measures recommended by guideline 7 may be categorized as follows:

(a) Addressing the root causes of trafficking, including poverty, lack of education and discrimination against women and other traditionally disadvantaged groups, with a view to reducing their vulnerability;

(b) Addressing the demand for exploitative commercial sexual services and exploitative labour;

[1] United Nations Children's Fund, "Reversing the trend: child trafficking in East and Southeast Asia" (2009). Available from www.unicef.org/eapro/Unicef_EA_SEA_Trafficking_Report_Aug_2009_low res.pdf.

(c) Increasing opportunities for legal, gainful and non-exploitative labour migration;

(d) Raising awareness about the risks associated with trafficking;

(e) Strengthening the capacity of law enforcement agencies to arrest and prosecute traffickers.

19. It can be gleaned from this guideline that both supply and demand factors need to be tackled in order to prevent trafficking, although prevention efforts may be often perceived as being the responsibility of source countries. Trafficking in persons is a dynamic process, caused by an array of complex and intertwined "push" and "pull" factors. Thus, the prevention of trafficking in persons requires truly concerted and collaborative efforts by all countries of origin, transit and destination.

20. The present report does not focus on the prosecution of traffickers as a method of prevention, although the Special Rapporteur acknowledges that it is an integral element of the fight against trafficking and may play an important role in preventing trafficking through deterrence. There are, however, increasing reports that the overzealous focus on prosecution and law enforcement may adversely affect the human rights of trafficked persons, as observed in some States where trafficking is addressed through the criminalization or prohibition of prostitution. For instance, as a result of the law prohibiting the recruitment of persons for the purpose of prostitution, women and girls who have been trafficked for the purpose of commercial sexual exploitation are often arrested and charged with soliciting prostitution.[2] One non-governmental organization documented several cases in the United States of America where victims of "domestic minor sex trafficking" were arrested by law enforcement officers, prosecuted, criminalized and revictimized by the justice system. In one of the cases, police in Las Vegas arrested a 12-year-old girl who had been picked up by a man in a truck for sexual services, while the police failed to locate and arrest the man.[3] It must also be acknowledged that there is a limit to the deterrent effects of prosecution, owing to the complex nature of the crime, which makes it difficult to successfully prosecute and convict traffickers. For those reasons, the law enforcement approach should not be exclusively relied upon as a prevention method. In the view of the Special Rapporteur, measures to prevent trafficking will not be effective or sustainable unless the underlying social, economic and political factors that create an environment conducive to trafficking are addressed. Through this lens, the report sheds light on prevention measures to address the powerful and complex factors, along a supply/demand continuum, that increase vulnerability to trafficking.

Addressing the root causes of trafficking in persons

21. Strategies aimed at preventing trafficking in persons must address underlying factors that render people vulnerable to trafficking, such as poverty, lack of employment opportunities, sex discrimination and inequality, restrictive immigration laws and policies, war and conflict. The root causes of trafficking and

[2] Global Alliance against Traffic in Women, *Collateral Damage* (2007). Available from www.gaatw.org.

[3] Linda A. Smith, Samantha Healy Vardarnan and Melissa A. Snow, "The national report on domestic minor sex trafficking: America's prostituted children" (Shared Hope International, 2009). Available from www.sharedhope.org.

migration overlap to a great extent; it is thus important to understand the motivations behind people's decisions to leave their homes. In many cases, people leave their homes in search of protection and opportunity. Evidence suggests that more than three quarters of international migrants move to a country with a higher level of human development than their country of origin in order to improve their livelihoods.[4] Millions of people also leave their places of origin either internally or across an international border owing to insecurity and conflict. This signals that in a significant number of situations, the root causes of migration and trafficking can be attributed to the failure of States to guarantee the fundamental human rights of all individuals within their jurisdiction.

22. Women are recognized as the group particularly affected by such failure. In this regard, it is timely and important to recall the States' commitments towards the achievement of the Millennium Development Goals, particularly goal 1 (eradicate extreme poverty and hunger), goal 2 (achieve universal primary education), and goal 3 (promote gender equality and empower women). While the overall poverty rate has been reduced somewhat, some regions, such as sub-Saharan Africa, Western Asia and parts of Eastern Europe and Central Asia, still need to make progress to meet the 2015 targets on poverty eradication.[5] Sex discrimination still persists, and poverty puts girls at a distinct disadvantage in terms of education. Furthermore, women are still largely relegated to temporary or informal employment with little or no social security or benefits. This failure to provide equal and just opportunities for women to education and work encourages the feminization of poverty. This, in turn, compels women to leave their homes in search of better opportunities, resulting in the feminization of migration.

23. In this process, the dynamic force of globalization and trade liberalization exacerbates the feminization of poverty and migration. A number of reports indicate that structural adjustment measures imposed by global financial institutions such as the World Bank and the International Monetary Fund increased poverty, unemployment, inequality and the degree of insecurity in many countries. In many cases, such adverse effects fall on women, as structural adjustment often involves the privatization of the public sector, which reduces access to social services that women may rely on. Trade liberalization may also result in cheap imports so that certain industries dominated by women, such as agriculture and textiles, are not able to survive, causing a loss of employment of the women. These effects all contribute to creating powerful "push" factors for women to migrate to seek employment outside their countries of origin, even at the risk of abuse, exploitation and trafficking.

24. The next question then is: What contributes to trafficking, as opposed to non-exploitative migration? It is important to recognize that there are crucial differences between trafficking and migration in terms of the means used and the purposes of people's movement. The definition of "trafficking in persons" under article 3 (a) of the Palermo Protocol makes clear that trafficked persons are deceived or forced (by threat or coercion) to move for the purpose of exploitation. Thus, while trafficking in persons and migration share the same "migratory space", as both involve the movement of people, trafficking in persons entails movement by fraudulent or coercive means for exploitative purposes. In the light of those factors,

[4] United Nations publication, Sales No. E.09.III.B.1.

[5] Ibid., Sales No. E.10.I.7.

the Special Rapporteur notes that there is a strong causal link between restrictive immigration policies and trafficking. In contrast with trade liberalization, immigration policies have become increasingly restrictive, particularly for people with low skills, despite the demand for their labour in many industrialized countries. While a number of States have deployed immigration control and border security measures in response to the smuggling of and trafficking in persons, such measures are often counterproductive, as many prospective migrants are not deterred by them and would rely on intermediaries to facilitate their entry to destination countries through informal and clandestine channels. In many cases, people decide to leave home not as a matter of choice but as a matter of survival in order to escape from serious violations of their human rights. People's desire to move at any cost creates a lucrative market condition for traffickers and increases migrants' vulnerability to traffickers.

25. Furthermore, it is relevant to take into account the impact of the advancement of information and communications technology, which has contributed to the diversified modus operandi of traffickers. In particular, traffickers increasingly deploy new modes of communication on the Internet, including online advertisements and chat rooms, to lure persons for the purpose of exploitation. The Internet also expands the forms of exploitation for which persons are trafficked, as seen in the growth of child pornography on the Internet (see A/HRC/12/23) and the mail-order bride industry.[6]

26. Thus, a brief analysis of some of the root causes of trafficking shows that there is a wide range of intertwined factors at play. One single factor such as poverty, gender discrimination or lack of employment opportunities per se does not necessarily lead to trafficking; rather, it is the combination of multiple factors that may place certain individuals at a higher risk of being trafficked. Thus, measures aimed at addressing the root causes of trafficking should be based on the recognition that trafficking is caused by a lack of comprehensive protection of such human rights, as freedom from discrimination, the right to work, the right to an adequate standard of living and freedom of movement. As an example, the United Nations Children's Fund (UNICEF) advocates for a comprehensive child protection system rather than measures that focus narrowly on trafficking. In its "system-building" approach, UNICEF promotes shifts towards building and strengthening social welfare, changing social behaviour and improving the legal and justice system for child protection in a holistic manner, based on the principles enshrined in the Convention on the Rights of the Child.[1] This approach can be offered to other groups at high risk of being trafficked, such as women or ethnic minorities, so that prevention measures are designed to protect the human rights of potential victims of trafficking in a comprehensive manner rather than focusing on alleviating one factor. Consistent with this approach, the Special Rapporteur welcomes the recent adoption by the General Assembly of the United Nations Global Plan of Action against Trafficking in Persons (resolution 64/293) in which Member States affirmed their commitment to adopt and implement comprehensive policies and programmes at the national level to prevent trafficking in persons in line with relevant policies and programmes on migration, education, employment, gender equality, empowerment of women and crime prevention.

[6] POPPY Project, "Male-ordered: the mail-order bride industry and trafficking in women for sexual and labour exploitation" (2009). Available from www.eaves4women.uk/Documents/Recent_Reports/Male-ordered.pdf.

27. The need for this "system-building" approach may be illustrated by experiences in poverty-reduction programmes. While such programmes may be often implemented as a preventive measure, experience suggests that increasing economic empowerment alone does not necessarily reduce the incidence of trafficking.[7] In this regard, the International Labour Organization (ILO) stresses the importance of "packaging" interventions so that measures such as microfinance and other income-generating activities are combined with measures to address other factors that create conditions in which people are vulnerable to trafficking.[8] The ILO project to combat trafficking in children and women in the greater Mekong subregion is a good example of how various interventions were integrated into one package and successfully mitigated vulnerability to trafficking. In this project, ILO combined information-sharing, capacity-building, awareness-raising, communication campaigns and direct assistance through employment creation, vocational skills training, educational support and microcredit schemes, particularly targeting at-risk women and children and their families.

28. Prevention programmes should also strategically target individuals who are at particular risk of being trafficked. This essentially requires a careful assessment of the salient characteristics of individuals who are being trafficked from a particular community to understand why they are vulnerable to trafficking.[9] The experience of the United Nations inter-agency project on human trafficking in South-East Asia confirms that research into the circumstances in which people are trafficked is crucial, for it is the most important method by which evidence on the experience of trafficked persons is collected and by which preventive strategies can be made evidence-based, rather than being based on guesses or prejudice. The needs assessment of one village in the Lao People's Democratic Republic carried out by the project reinforces this point. The village was initially targeted for a microfinance project aimed at preventing trafficking, having regard to certain risk factors. This included the fact that the village was one of the poorest provinces, inhabited by the Hmong ethnic minority population, which has limited access to education and a low literacy rate. The needs assessment revealed, however, that there was a low risk of trafficking, as the village was far from the main road and traffickers were not known to be active in the area. Furthermore, the population did not have much aspiration or desire to seek another lifestyle. Thus, while donors were keen to invest resources in this project for the purpose of preventing trafficking, this would have achieved very little in terms of prevention, as the project was not strategically targeted at vulnerable populations.

Preventing trafficking in persons by preventing "demand"

29. Guideline 7 of the Recommended Principles and Guidelines on Human Rights and Human Trafficking notes that strategies aimed at preventing trafficking should address demand as a root cause. Thus, in addition to the supply side, demand for

[7] Mike Dottridge, "Child trafficking for sexual purposes" (End Child Prostitution, Child Pornography and Trafficking of Children for Sexual Purposes, 2008). Available from www.ecpat.net.

[8] International Labour Organization, *Meeting the Challenge: Proven Practices for Human Trafficking Prevention in the Greater Mekong Sub-region* (Geneva, 2008).

[9] United Nations Office on Drugs and Crime, "An introduction to human trafficking: vulnerability, impact and action" (Vienna, 2008).

exploitative commercial sexual services and exploitative labour also needs to be addressed as one of the root causes of trafficking.

30. Demand for the services of trafficked persons or for commodities they have been involved in producing may come from a variety of sources, including:

(a) Traffickers and others who aim to make money out of someone who has been trafficked;

(b) Individuals who knowingly or unknowingly pay for either their services or products;

(c) An employer who wants a particularly docile or subservient worker;

(d) Businesses that buy services or products from other companies (i.e., a "supply chain").

31. Demand for services is sometimes interpreted to refer primarily to the market for commercial sex, where trafficked women and girls represent a high proportion of those involved in providing commercial sex and demand comes chiefly from adult men and older adolescent boys. However, boys and some adult men are also trafficked for this purpose. Estimates provided by international organizations about the proportion of people who are trafficked to be exploited in prostitution versus those trafficked for other purposes vary, with ILO estimating in 2005 that the largest proportion had been trafficked for purposes other than the exploitation of the prostitution of others[10] and the United Nations Office on Drugs and Crime (UNODC) estimating in its own global report in 2009 that the majority had been trafficked for sexual purposes.[11]

32. So far, only in the case of trafficking for sexual purposes have some activists called for a blanket ban on the activity in which trafficked persons are involved (i.e., prostitution/commercial sex). Whether this is appropriate or effective is the subject of a great deal of comment and impassioned debate.

33. With globalization and changes in demographic trends in developed countries, there is an increased demand for cheap, low-skilled or semi-skilled labour in a wide range of industries, including agriculture, food processing, construction, manufacturing, domestic work and home health care. Those jobs are often dirty, degrading and dangerous and are often not performed by national workers. This gives rise to a significant demand for migrant workers, although this has not been acknowledged or reflected in immigration laws and policies in most developed countries. Furthermore, it is necessary to be cognizant of the gender-specific nature of demand exacerbated by the current economic crisis and globalization, which have caused changes in the international division of labour and labour market demand. As has been observed, the greater demand for trafficked women and girls compared to men and boys has occurred largely in response to this demand-driven reality.[12] Again, the feminization of the labour market results in women being predominantly engaged in the informal sector, characterized by low wages, casual jobs, hazardous working conditions and an absence of collective bargaining mechanisms. It has been

[10] ILO, *A Global Alliance against Forced Labour: Global Report under the Follow-up to the ILO Declaration on Fundamental Principles and Rights at Work, 2005* (Geneva, 2005).

[11] UNODC, "Global report on trafficking in persons" (Vienna, 2009).

[12] Commonwealth Secretariat, *Report of the Expert Group on Strategies for Combating the Trafficking of Women and Children*, Best Practice series (London, 2003).

argued, consequently, that women are preferred in this sector because they are viewed as submissive, well-suited to simple repetitive tasks, abundant, needy, cheap and pliable.[12]

34. In addressing the demand for exploitative commercial sexual services, it is important to recognize that such demand is socially constructed in that the desire to buy sex is often encouraged by men's need to socially identify themselves as "real men" or "adults".[13] The feminized entertainment and sex industry is predicated on male-centred ideological assumptions: that sex services are largely a male right and a commodity; that commercial providers of sex services are largely women; and that women in prostitution exist as sexualized and commodified bodies.[12] The Special Rapporteur notes that there are divergent perspectives on how to tackle the demand for exploitative commercial sexual services. At one end of the spectrum is the argument that prostitution is inextricably linked to trafficking in persons and thus that trafficking cannot be prevented without curbing the demand for prostitution. On the basis of that approach, some States have adopted legislation that criminalizes the buying or soliciting of sexual services, which has reportedly led to a significant reduction in the number of foreign women engaged in street prostitution, thus creating an unprofitable market for sex trafficking. At the other end of the spectrum, the "free choice" advocates draw a clear distinction between prostitutes who voluntarily work in the sex industry and trafficked persons who are forced to work as prostitutes. They do not view the abolition of prostitution as an effective strategy for reducing the incidence of trafficking and advocate for prostitutes' right to earn their livelihood and to organize themselves to assert their rights.

35. A long-awaited review of a 1998 Swedish law prohibiting the purchase of sexual services was recently published by the Ministry of Justice of Sweden.[14] Although the report is clear in concluding that prohibiting the purchase of sexual services has helped to combat prostitution, the review is less persuasive on the impact on trafficking and states that while it is difficult to assess precisely the extent of sex trafficking in Sweden, there are data suggesting that the scale has been affected by the ban on purchases of sexual services.

36. As has been observed, while proponents on both sides of the debate hold tenaciously to their convictions, there remains no conclusive link between the legalization or criminalization of prostitution and the existence of trafficking for sexual exploitation.[9] Although the Special Rapporteur does not wish to draw conclusions in this debate, she wants to shift the attention away from exclusively tackling consumer demand and to underline the critical need to ensure that undivided attention is paid to prevention strategies that focus on tackling the structural root causes of trafficking while respecting the human rights of trafficked persons. In this context, the Special Rapporteur notes the evidence that the majority of clients of commercial sexual services are not concerned whether the services are provided by persons who are prostitutes by choice or trafficked persons.[15] The evidence also suggests that trafficking results mainly from the demands of employers or third parties (such as recruiters, agents, transporters and others

[13] International Organization for Migration, *Is Trafficking in Human Beings Demand-Driven? A Multi-country Pilot Study*, IOM Migration Research Series, No. 15 (Geneva, 2003).

[14] See summary of "Prohibition of the purchase of sexual services: an evaluation 1999-2008". Available from www.sweden.gov.se/content/1/c6/14/92/75/d95568d5.pdf.

[15] ILO, *Demand Side of Human Trafficking in Asia: Empirical Findings* (Bangkok, 2006).

knowingly participating in trafficking) who control and exploit people, coupled with the lack of labour rights protection that allows exploitation to take place.

37. In this regard, despite her view that demand for all types of commercial sex should be eliminated, the former Special Rapporteur on the human rights aspects of the victims of trafficking in persons reached a different conclusion about the measures appropriate to reduce demand in cases other than prostitution, notably when goods were made by workers who had been trafficked. In her report (E/CN.4/2006/62, para. 59) she expressed the view that:

> States parties need not eradicate demand simply because that demand is occasionally met by goods produced by trafficked labour. For example, the consumer market for athletic shoes could be met occasionally by shoes produced by people who have been subjected to one or more of the means of trafficking listed in the Protocol definition. There are reasonable steps States parties may take to discourage the demand side of such markets without seeking to wholly eradicate the consumer demand for athletic shoes.

38. From this perspective, the Special Rapporteur believes that it is important to address the lack of regulations and labour rights as one of the key structural factors fostering trafficking in persons, whether for sexual exploitation or labour exploitation.[16] In destination countries, the exploitation of migrant workers often takes place in the context of economic activity that is illegal or informal, or poorly regulated or unregulated, or in sectors in which it is difficult to enforce regulatory controls and profit margins are extremely low (CTOC/COP/WG.4/2010/3/para. 15). Indeed, studies show that the demand for exploitative labour or services is almost completely absent where workers are well unionized and labour standards are routinely monitored and enforced.[17] Therefore, it is imperative to address the demand for cheap and exploitable labour and services through the framework of labour rights protection and migration management. A good example of regulation in sectors where trafficked persons are found is the introduction by the Government of the United Kingdom of Great Britain and Northern Ireland of the Gangmasters (Licensing) Act in 2004, which created a compulsory licensing system for all employment agents supplying workers for agricultural activities, gathering shellfish and related processing and packaging activities, supervised by a special licensing authority. Thus, reforming employment laws to check abuses in sectors that have formerly gone unpoliced, such as domestic work in private houses or training and deploying labour inspectors or other officials to check the contracts and working conditions of migrant workers is imperative for preventing trafficking for exploitative labour.[9]

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[16] It should be noted that demand for sexual services by children must be distinguished and separated from this framework of analysis. Pursuant to article 34 of the Convention on the Rights of the Child, States are obliged to prevent the exploitative use of children in prostitution or other unlawful sexual practices. Further, article 3, paragraph 1 (b), of the Optional Protocol to the Convention on the sale of children, child pornography and child prostitution specifies that States parties must ensure that offering, obtaining, procuring or providing a child for prostitution is fully covered under its criminal law, whether such offences are committed domestically or transnationally or on an individual or organized basis.

[17] ILO, "Preventing discrimination, exploitation and abuse of women migrant workers: an information guide", Booklet 6, Trafficking of women and girls (Geneva, 2003).

Increasing opportunities for safe migration

39. The need to address the demand for exploitable labour and services translates into the need to create more opportunities for "safe" migration, that is, legal, gainful and non-exploitative migration. Strategies to address the demand and prevent trafficking should be guided by the recognition of the continuing demand for low- or semi-skilled labour and the promotion of opportunities for regular labour migration, as well as States' obligations to respect, protect and promote the labour rights of all workers, including migrants.

40. However, there are overwhelming concerns that States construct and operationalize the concept of safe migration within the framework of the protection of national sovereignty and border security. As a result, it has been observed that measures to ostensibly promote safe migration and prevent trafficking tend to discourage migration altogether in violation of the right to freedom of movement. For instance, a number of States reportedly prohibit certain citizens from migrating, judging them to be potential victims of trafficking based on their sex, age, status or destination countries. For example, India prohibits any female household worker below the age of 30 from obtaining employment in Saudi Arabia.[18] In this process, women are often disproportionately scrutinized, owing to the perception of their vulnerability and hence the need for State intervention to "protect" them from harm. Thus, some States prohibit women under the age of 25 from migrating without the permission of a guardian, or prohibit women from obtaining travel permits,[19] restricting their freedom to travel in search of a livelihood or educational opportunities.

41. In addition, it is reported that initiatives to intercept potential victims of trafficking at borders are often misguided and abusive, amounting to a violation of their freedom of movement and stigmatization of the intercepted persons in some cases. For example, girls who were intercepted at the border between Nepal and India were stigmatized upon their return to their communities because the organizations carrying out the interception were known to be involved in anti-prostitution work and the girls were thus suspected of having been involved in prostitution.[20] By the same token, some communities have established a community-level vigilance or surveillance committee to prevent trafficking in persons, particularly children. However, evidence suggests that the committees often failed to distinguish between trafficked children and other children leaving their homes to earn money elsewhere, with the result that even adolescents were stopped from migrating from extremely poor villages to seek work in other towns. Destination countries also exercise restrictive immigration control purportedly to prevent potential cases of trafficking. For example, it has been reported that many Brazilian women have been repeatedly denied entry to European Union member States because they looked like prostitutes and thus were suspected to be victims of trafficking.[18]

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[18] Global Alliance against Traffic in Women, "Beyond borders: exploring links between trafficking and migration" (Bangkok, 2010). Available from www.gaatw.org/publications/WP_on_Migration.pdf.

[19] Ibid., "Beyond Borders: Exploring Links between Trafficking and Gender" (Bangkok, 2010). Available from www.gaatw.org/publications/WP_on_Gender.pdf.

[20] Mike Dottridge, *A Handbook on Planning Projects to Prevent Child Trafficking* (Lausanne, Switzerland, Terre des hommes Foundation, 2007).

42. These practices illustrate that some measures directed at countering trafficking or promoting safe migration are misguided and result in violations of the human rights of prospective migrants. Strategies to promote safe migration should not be based on the restriction of migration channels that States may regard as potentially dangerous without concrete evidence. Rather, any prevention strategies should be underpinned by the recognition of freedom of movement and the creation of more opportunities for legal and non-exploitative labour migration. In fact, a lower incidence of trafficking is reported where opportunities for regular migration are available within a multilateral framework or under a bilateral agreement between the sending and receiving States, or where there are otherwise established channels of migration.[21] In this regard, bilateral or multilateral agreements providing for legal labour migration are strongly encouraged. Steps must be taken, however, to ensure that such agreements are consistent with international human rights laws and standards and that the implementation of the agreements is independently monitored so that they do not result in the "exporting" of migrants under abusive working conditions.

43. The provision of adequate information about migrants' rights, as well as practical advice on how to avoid risks during the migratory process and in destination countries, is also an integral aspect of promoting safe migration. While some Governments conduct pre-departure training programmes for prospective migrants, reports indicate that they often fall short of equipping prospective migrants with relevant knowledge about their rights or where to seek assistance when they encounter problems in destination countries. In this respect, some initiatives by non-governmental organizations provide useful lessons. A project aimed at promoting safe migration, implemented by an international non-governmental organization in the Xishuangbanna Prefecture in China, is a good example of how a safe migration channel for children and young people has been created among the places of origin, transit and destination. In this project, the organization raises awareness of potential migrants in the place of origin (Manxixia) and nearby villages on the risks associated with migration and trafficking. The recruiters are registered and linked to the young people who are eligible for and interested in work. In the place of destination, the organization works with the community government of Liming and the youth league of Xishuangbanna Prefecture to raise migrants' awareness of the risks associated with migration, such as labour exploitation and trafficking. The community government also helps to mediate any labour disputes between migrants and their employers. In this manner, migrant children and youths are provided with a comprehensive pre- and post-migration support and protection system.

Raising awareness of risks associated with trafficking

44. Raising the awareness of potential victims about the risks associated with trafficking is an essential part of prevention strategies. A study conducted by UNICEF showed that the vast majority of trafficked children had very little information about the risks of abuse and exploitation. This demonstrates the importance of providing potential victims of trafficking with appropriate and adequate information about the risks of human trafficking. In fact, awareness-raising

[21] ILO, "Getting at the roots: stopping exploitation of migrant workers by organized crime" (Geneva, 2003).

campaigns targeted at potential victims of trafficking appear to be the most common prevention measures in many countries of origin, owing, perhaps, to the lower complexity of designing and implementing such campaigns. While this has resulted in a plethora of large-scale public campaigns in many countries, reports suggest that the campaigns do not always reach groups that are at higher risk, that many of them use detrimental images of women and girls and convey distorted messages about the risks involved in trafficking and that their impact is barely monitored and evaluated.

45. The Special Rapporteur is especially concerned that many awareness-raising campaigns simply use scare tactics to prevent people from leaving home. Such campaigns are counterproductive and cause unintended negative effects. There are reports, for instance, that awareness-raising campaigns resulted in a decrease in children's school attendance because the parents were afraid that their children might be abducted[22] and refusal by some to travel overseas because the traveller thought she would be trafficked if she left the village. Furthermore, some awareness-raising campaigns may result in the unintentional stigmatization of certain groups of trafficked persons, such as women. The Special Rapporteur observed that many of the images and messages used in awareness-raising campaigns tend to focus on women trafficked for forced prostitution, thereby giving the public the wrong impression that trafficking is about prostitution and that all trafficked women are prostitutes. In some countries, such misdirected awareness-raising efforts have reportedly produced overly suspicious law enforcement officers who hinder the exercise by women and girls of the freedom to travel abroad.[2] In addition, such stereotyping and stigmatization may pose obstacles to the reintegration process upon their return to their communities. For example, the Special Rapporteur discovered during her country visit to Belarus that male victims trafficked especially for forced labour in the Russian Federation refused or were very reluctant on their rescue and return to take advantage of psychosocial support designed for the recovery and reintegration of victims owing to the prevailing severe stigmatization in the community of persons who have been trafficked.

46. These analyses provide useful insights into the key elements of effective awareness-raising. First, awareness-raising campaigns must be based on accurate and adequate information. Before embarking on such campaigns, it is important to acquire a solid understanding of the manifestations of trafficking in a given context. Awareness-raising based on inaccurate or insufficient information may leave potential victims off-guard. For example, one study showed that information campaigns in the Republic of Moldova had disseminated information that the main destination country was Turkey, when in reality it was the Russian Federation.[7] It is desirable to conduct a needs assessment or study to identify what the target audience already knows and does not know in order to ensure the maximum impact. It is simply not useful or effective to implement broad-brush campaigns to "stop human trafficking" if the populations do not even know what human trafficking really is.

47. Second, it is important to recognize that awareness-raising is never enough in itself to prevent trafficking and needs to be complemented by programmes that reduce the vulnerability of potential victims and provide them with viable alternatives. Awareness-raising campaigns implemented alone as a preventive measure are based on the assumption that increased awareness of trafficking issues

[22] UNICEF and Terre des hommes Foundation, *Action to Prevent Child Trafficking in South Eastern Europe: A Preliminary Assessment* (Geneva and Lausanne, 2006).

will encourage people to make alternative decisions that minimize their risk of being trafficked. While this may work well in some circumstances, it disregards the dynamic "push" factors that compel people to leave home despite their knowledge of the risks. The anti-child trafficking project implemented by an international non-governmental organization for children from the Egyptian community in Albania is a good example of how the provision of information was combined with efforts to reduce the vulnerability of children who are particularly at risk of being trafficked. After finding that there was a correlation between children dropping out of school and their risk of being trafficked, the organization strategically provided advice and material support to families with children at risk.[22]

48. Third, the powerful role of the media should be fully acknowledged and exploited in awareness-raising campaigns. The media has tended to sensationalize stories of trafficked persons and highlight their "victimhood" rather than educating the public about the underlying social and economic factors that led to the violation of their human rights. Given its influential role and ability to reach wider audiences, however, the innovative use of media should be built into awareness-raising activities. The ILO project to combat trafficking in children and women in the greater Mekong subregion is a good example of the effective use of a radio programme and television drama in Cambodia to provide adolescents with practical information about safe migration and warnings about trafficking. Given the large number of existing information campaigns, it is also useful to deploy innovative methods to disseminate anti-trafficking messages. The MTV EXIT (End Exploitation and Trafficking) campaign, for example, used the power and influence of music, film and celebrity to attract the interest of youths in trafficking issues.[23] In addition to producing a number of documentaries, animated films and music videos, it held live concerts across Asia and Europe featuring local and international artists. It maintains profiles on social networking and video-sharing sites such as MySpace, Facebook and YouTube. The Blue Heart campaign, an awareness-raising initiative launched by UNODC in 2009, also makes use of social networking sites to reach out widely. While the impact and effectiveness of such campaigns needs to be analysed and assessed more closely, the innovative use of media and information technology to reach out to youth appears to have a positive impact.

C. Participation of trafficked persons in developing prevention strategies

49. As provided in the Recommended Principles and Guidelines mentioned in paragraph 4 above, the human rights of trafficked persons must be at the centre of all efforts to prevent and combat trafficking in persons. To ensure that prevention strategies are implemented in a manner that respects the human rights of trafficked persons, it is crucial to ensure the active participation of trafficked persons in designing and implementing them.

50. One of the core values of human rights-based programming is the participation of rights holders in developing policies and programmes that affect their interests. The importance of the participation of rights holders is recognized in a number of international instruments, including the Convention on the Elimination of All Forms of Discrimination against Women and the Convention on the Rights of the Child. In

[23] See www.mtvexit.org/index.php?lang=1.

line with the Declaration on the Right to Development (resolution 41/128, annex), the participation of rights holders should be active, free and meaningful, so that it goes beyond mere consultation and empowers rights holders to reflect their views and expectations in the relevant policies and programmes.

51. In preventing trafficking in persons, the participation of trafficked persons in designing and implementing prevention measures is critical. Policies, initiatives and programmes informed by the voices of trafficked persons will be more effective, as trafficked persons can provide crucial information about why they left their homes and what strategy or support was needed to prevent them from being trafficked. In the context of child trafficking, the participation of children is particularly important, as it empowers them to become the key actors in making decisions affecting their interests and mitigates the power imbalance of adults over children. Furthermore, the role of children is important in awareness-raising and peer-to-peer education, as children are often more willing to listen to their peers than to adults.

52. There are some promising practices of meaningful participation for the trafficked persons. For instance, an ILO awareness-raising programme in Brazil, which targeted young girls at high risk, was designed on the basis of real-life experiences of women who were trafficked and repatriated. There have been also examples of self-help groups formed by returnee trafficked persons that actively design, develop and implement income-generation projects.[24] In the context of children affected by trafficking, the guidelines of the Association of Southeast Asian Nations for the protection of the rights of trafficked children in the region led to a consultation in the Philippines with trafficked children so that their views on which measures would be appropriate to include in the guidelines could be obtained.

53. Notwithstanding these promising practices, it has been observed that ensuring the effective participation of trafficked persons in policymaking processes is often difficult in reality, as officials and policymakers are still unfamiliar with the idea of reflecting trafficked persons' views in Government policies. The Mekong Children's Forum on Human Trafficking and the Mekong Youth Forum illustrate this point. Both involved a series of national forums in countries in the greater Mekong subregion, followed by subregional forums where representatives of each country came together and submitted recommendations to the policymakers of the Coordinated Mekong Ministerial Initiative against Trafficking. At senior officials' meetings in 2007 and 2008, the member Governments expressed and reiterated their commitment to listen to the voices of the children and young people and include their suggestions for addressing human trafficking. While both Forums increased the visibility of children in policymaking processes and sensitized Government officials to the importance of children's participation, it is still unclear how their recommendations are translated into national or subregional policies on combating trafficking.

D. Public-private partnerships to prevent trafficking in persons

54. Because of the effects of globalization, the importance of corporate responsibility to respect human rights has received increasing attention in the past

[24] See, e.g., the work of the Self-Empowerment Program for Migrant Women in Thailand, formed by Thai migrant workers who returned from Japan, many of whom had been trafficked.

decade or so, as evidenced by the development of the Global Compact and the framework for business and human rights formulated by the Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises (see A/HRC/8/5).

55. While these standards do not specifically refer to trafficking in persons, businesses cannot shy away from this issue. Businesses are a significant part of the human trafficking chain, as they could be directly linked to it through the recruitment, transport or receipt of workers for purposes of exploitation. They can also be indirectly associated with trafficking through the actions of others, such as suppliers, subcontractors, business partners, labour brokers or private employment agencies. The active participation of businesses in the fight against trafficking has a number of advantages. To the extent that human trafficking involves many stakeholders and cannot be addressed by a single one of them, the participation of businesses will enhance partnerships and cooperation among all concerned. Such partnerships can, in turn, facilitate the mobilization of resources. Taking part in preventing trafficking is also beneficial for businesses, as it promotes a better corporate image and demonstrates leadership in the area of corporate social responsibility.

56. The recognition of the private sector's role in combating trafficking culminated in the Athens Ethical Principles in 2006 under the leadership of the Suzanne Mubarak Women's International Peace Movement. The Movement has been instrumental in mobilizing the private sector and raising awareness of its responsibility to take part in the fight. Under the Principles, businesses voluntarily pledge, inter alia, to demonstrate a zero-tolerance policy towards trafficking in persons and to contribute to the prevention of trafficking in persons, including awareness-raising campaigns and education. Those commitments were reaffirmed in the Manama Declaration on Human Trafficking at the Crossroads, adopted in 2009 at a conference held in Bahrain.

57. While these are positive developments, the impact of the Athens Ethical Principles and other "soft" legal instruments is still unclear, and numerous challenges lie ahead in ensuring that businesses are not implicated in human trafficking. Furthermore, such instruments do not reach small or medium-sized enterprises or informal industries in which trafficked persons may often be exploited, such as brothels, clubs, bars, factories, restaurants and recruitment agencies. In addition, such enterprises or industries are less concerned about risk to their reputation, which means that profits may be prioritized over the protection of human rights.

58. Nevertheless, there are encouraging signs that public-private partnerships can contribute to the prevention of trafficking, especially through the provision of vocational training and employment opportunities to vulnerable groups. In India, the Ministry of Women and Child Development has been active in promoting the public-private partnership and established the first think tank on public-private partnership to address the issue of trafficking in 2008. This led to the establishment of the Apparel Export Promotion Council to provide training in apparel production to family members of trafficking survivors. The training programme was followed by employment in factories as a means of reducing their vulnerability to

trafficking.[25] In the hospitality industry, the International Confederation of Indian Industry and the International Institute of Hotel Management provided skills training in housekeeping and in goods and beverage retail management. Following the completion of the training, the Andhra Pradesh Tourism Development Corporation (a government agency) and Sinar Jernih provided employment opportunities to successful candidates of this joint training programme.

E. Importance of the methodologies

59. The analysis of different aspects of prevention programmes described above highlights the cross-cutting importance of collecting accurate data when designing the programmes, as well as monitoring and evaluation to ensure their effectiveness.

60. First, in designing measures to prevent trafficking, it is critical to collect accurate data on the incidence of trafficking in persons so that such measures are based on a realistic understanding about why particular groups of people are being trafficked and how traffickers operate. As discussed above, preventive measures developed on the basis of inaccurate information would be ineffective or even have an adverse impact on the human rights of trafficked persons.

61. Second, in order to ensure that preventive measures achieve the desired effect while enhancing the human rights of trafficked persons, such measures should be systematically monitored and evaluated on a regular basis. Some international organizations such as the International Organization for Migration (IOM)[26] and ILO[27] have developed logical frameworks with specific performance indicators that measure progress towards goals in anti-trafficking programmes. However, there is a general lack of systematic monitoring and assessment of the impact and effectiveness of prevention measures, and many assessments commonly report only the project outputs, such as the number of people who have been exposed to awareness-raising activities or given livelihood opportunities. While such reporting may indicate progress towards project goals to some extent, it does not necessarily shed light on the qualitative impact in terms of reducing the incidence of trafficking in persons. Proper impact assessments require measuring the situation before and after the implementation of the preventive measures concerned and identifying how they affected the behavioural change in the communities concerned. In this process, it is also essential to take into account the views of the intended beneficiaries. ILO has developed a participatory monitoring system for its Project to Combat Trafficking in Children and Women in the Greater Mekong Subregion that involves relevant key stakeholders — government officials, project partners and families whose children are at risk of trafficking — in assessing the impact of its activities.[28]

62. Furthermore, in conjunction with monitoring and evaluating the effectiveness of prevention programmes, it is important to assess any unintended negative impact on the human rights of all persons, especially trafficked persons. As discussed

[25] United Nations Global Initiative to Fight Human Trafficking, "Human trafficking and business: good practices to prevent and combat human trafficking" (Vienna, 2010).

[26] IOM, *Handbook on Performance Indicators for Counter-Trafficking Projects* (Geneva and Washington, D.C., 2008).

[27] ILO, "Impact assessment toolkit for trafficking prevention programmes" (Geneva, 2007).

[28] ILO, "Tool for prevention: participatory monitoring: guidelines for practitioners in the fight against human trafficking" (Geneva, 2005).

above, some measures designed to prevent trafficking, although well-intended, may cause more harm to the human rights of trafficked persons than good. In order to ensure the primacy of the human rights of trafficked persons, it is essential that the impact of prevention measures be closely monitored and assessed on a regular basis.

F. Conclusions and recommendations

63. The present report illustrates how efforts to prevent trafficking in persons should address multiple factors on both the supply side and the demand side, which are often complex and intertwined. Owing to such complexity, it appears that prevention strategies are often implemented in ad hoc manner, without the underlying economic, social, cultural and political factors that create conditions of vulnerability to trafficking being taken into account. For prevention measures to be effective, they must be based on an accurate assessment of factors that increase people's vulnerability to trafficking, as well as strategies to enhance the protection of human rights of potential victims of trafficking in a comprehensive and holistic manner at all stages of their movement. This highlights the importance of consulting trafficked persons, including children, to understand what factors increase people's vulnerability to trafficking and how they may be effectively addressed. Furthermore, it makes it clear that the prevention of trafficking in persons requires concerted efforts by all stakeholders, involving not only source, transit and destination countries, but also other non-State actors with the power to influence the trafficking chain, such as businesses and civil society organizations.

64. The recommendations of the Special Rapporteur are set out below.

Addressing the root causes of trafficking

65. **States are urged to address underlying factors, such as poverty, high unemployment rate, lack of human security and gender-based discrimination that increase people's vulnerability to trafficking by respecting, protecting and promoting their human rights in a comprehensive and holistic manner. States should combine different interventions so that the multiple violations of human rights that generate conditions of vulnerability to trafficking are addressed as a whole.**

66. **Without prejudice to the human rights of trafficked persons, States should carefully examine the characteristics of individuals who are trafficked from a particular community in order to effectively address factors that increase people's vulnerability to trafficking.**

Addressing demand for exploitative labour and services

67. **Demand for exploitative labour and services, particularly demand by employers and third parties involved in trafficking, should be addressed as a root cause of trafficking. To that end, States should develop or strengthen immigration policies informed by the evidence-based recognition of the demand for migrant labour, including low- and semi-skilled labour.**

68. **The protection of the human rights of migrants is of paramount importance in preventing exploitation that leads to trafficking. Thus, States should respect, protect and promote the human rights of migrants, particularly**

labour rights in sectors where such protection has traditionally been weak or absent, such as domestic work. To that end, States should sign, ratify and enforce all relevant human rights instruments, in particular the Palermo Protocol and the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

69. **States should build skills and institutionalize capacities, in particular those of law enforcement officers, including labour inspectors, so that they intervene appropriately to prevent trafficking in persons rather than dealing with the aftermath.**

Increasing opportunities for safe migration

70. **Border control and security measures developed and implemented as a response to trafficking should be in compliance with international human rights standards and should not interfere with people's freedom of movement. Freedom of movement should be guaranteed to all migrants and should not be denied merely on the basis of their profile, including age, sex, nationality or social status.**

71. **States should recognize that creating opportunities for regular labour migration that respond realistically to the economic and societal demand for such migration rather than artificially restricting legal migration channels is the key to preventing trafficking in persons. Among other measures, States should actively seek to adopt bilateral and multilateral agreements providing for legal labour migration, particularly for low- and semi-skilled labour. This should be designed, implemented and monitored with the active participation of migrant workers themselves to ensure their effectiveness in promoting safe migration.**

72. **States should increase efforts to reach out to populations at a higher risk of being trafficked and disseminate accurate and realistic information about risks of migration and trafficking, as well as practical advice on how to seek assistance when prospective migrants face problems.**

73. **Migrants' States of origin should provide all prospective migrants with pre-departure training that respects human rights and provides realistic information about the risk of abusive forms of migration. Receiving States, in cooperation with embassies and consular authorities, should provide migrants with orientation training upon their arrival that informs them about their rights and obligations as migrants, including remedies available for abuse and exploitation by employers and other parties.**

Raising awareness about risks associated with trafficking

74. **States should ensure that awareness-raising campaigns are based on accurate information as well as a baseline analysis of what the target audience does or does not know. Information should be easily accessible, and appropriate channels of communication should be used to reach a target audience.**

75. **States should recognize the limited effects of awareness-raising in preventing trafficking, and should combine awareness-raising activities with measures to address the root causes of trafficking and provide prospective migrants with alternatives.**

76. **Appropriate messages about the risks of trafficking and what people should do to avoid or minimize them should be institutionalized at all levels of education so as to reach young people before they fall prey to unscrupulous traffickers.**

77. **States should recognize the power of the media in raising public awareness about risks associated with trafficking. In cooperation with civil society organizations, States should ensure that the media are provided with training so that they do not stigmatize trafficked persons and so that they disseminate accurate information about the risks of trafficking in persons.**

78. **New technologies, in particular social networking, should be creatively and vigorously used and sustained to prevent and combat all forms of trafficking in persons, although it is recognized that its usage is limited in certain countries owing to the digital divide and access-related problems based on geographical location, age and gender differences.**

Methodologies

79. **States should reinforce efforts to collect accurate data and statistics on trafficking in persons that will inform evidence-based comprehensive prevention strategies. Such collection and analysis of data on trafficking should extend beyond collecting general statistics and encompass careful research and analysis of the characteristics of individuals who are at higher risk of being trafficked, as well as profiles of traffickers and their modus operandi.**

80. **States should build into their prevention programmes monitoring and evaluation tools in order to rigorously assess their impact and effectiveness. In carrying out monitoring and evaluation, due regard should be paid to any unintended consequences on the human rights of trafficked persons.**

Participation of trafficked persons in designing and implementing prevention programmes

81. **States should actively involve trafficked persons in designing, implementing and monitoring measures to prevent trafficking in persons. States should increase transparency in policymaking processes and make relevant information available to trafficked persons to facilitate their participation. States should institutionalize the participation of trafficked persons by creating specific channels for such participation within the policymaking process.**

Public-private partnerships in preventing trafficking in persons

82. **States should acknowledge the influential role of the private sector in the global fight against trafficking and seek to actively engage them and hold them to account in preventing trafficking in persons in their sphere of influence, as well as have specific roles for them in national action plans.**

83. **States must demonstrate serious commitment and political will as part of the effort to regulate businesses, in particular recruitment and tourism agencies and the entertainment and sex industries. In that regard, public officials who collude with traffickers should be equally penalized.**

84. **Businesses are urged to sign to both the Global Compact and the Athens Ethical Principles, which underscore the importance of respect for human rights by businesses and their participation in fighting the menace of human trafficking in all its forms, especially in the production chain and the tourism industry.**

85. **Finally, States are urged in all the key areas identified above to strengthen cooperation among Governments, international organizations and non-governmental organizations in designing, implementing, monitoring and evaluating preventive activities to end all forms of trafficking in persons, especially women and children.**